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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,014	07/05/2001	Kenji Mameda	0033-0736P	9296

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EXAMINER	
SHEPARD, JUSTIN E	

ART UNIT	PAPER NUMBER
2623	

NOTIFICATION DATE	DELIVERY MODE
07/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	09/898,014	MAMEDA, KENJI	
	Examiner	Art Unit	
	Justin E. Shepard	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 May 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☒ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/7/07 has been entered.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

In response to the applicant claiming that Bendinelli not being cited in an 892 form, the examiner has checked the 892 dated 1/5/07 and has found the reference listed, but the examiner apologizes if the applicant did not receive it. The examiner will resend the 892 with this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 8, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portuesi in view of Lortz.

Referring to claim 8, Portuesi discloses a separation unit separating video data, video associated data, and button data linked with the video associated data from broadcast wave (figure 5, part 68; column 9, lines 35-58; column 6, lines 30-42);

a memory that accumulates the separated button data (figure 3, box 30; column 6, lines 25-30);

a display unit displaying the video separated by said separation unit (display window 28, Figure 4; hotspot 40, Figure 4);

a communication unit, having a communication port for directly receiving a command from a web browser requesting for the video associated data (column 4, lines 40-43; column 9, lines 43-48; figure 5, part 74), and transmitting the video associated data to the web browser to be displayed on the web browser (figure 5, part 76; column 9, lines 43-51).

Portuesi does not disclose a system wherein the web browser is a remote control.

In an analogous art, Lortz teaches a system wherein the web browser is a remote control (figure 3; column 5, lines 44-53).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the web tablet interface remote control taught by Lortz to the system disclosed by Portuesi. The motivation would have been to allow the user to browse the web without interrupting their television viewing.

Referring to claim 9, Portuesi does not disclose a broadcast receiver apparatus according to claim 8, further comprising: a still picture production unit producing a still picture from the video data, wherein said communication unit transmits button data retrieved from the memory among the accumulated button data and the still picture produced by said still picture production unit to the remote controller to be displayed on the remote controller.

In analogous art, Lortz teaches a broadcast receiver apparatus according to claim 8, further comprising: a still picture production unit producing a still picture from the video data (column 3, lines 54-65), wherein said communication unit transmits button data retrieved from the memory among the accumulated button data and the still picture produced by said still picture production unit to the remote controller to be displayed on the remote controller (column 5, lines 44-53).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the still picture production unit and web tablet interface taught by Lortz to the system disclosed by Portuesi. The motivation would have been to allow the user to browse the web without interrupting their television viewing.

Claim 12 is rejected on the same grounds as claims 8 and 9.

1. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Portuesi in view of Vertelney.

Referring to claim 10, Portuesi discloses a broadcast receiver apparatus, comprising:

a separation unit separating (figure 5, part 68), from a broadcast wave (figure 5, part 54), video (figure 5, part 70), video associated data, and button data linked with the video associated data (figure 5, part 72);

a memory that accumulates the separated button data (column 6, lines 25-30);

a display unit displaying the video separated by said separation unit (figure 5, part 70);

a first communication unit having a communication port for emitting and receiving signals directly to and from a remote controller (figure 5, part 72; column 9, lines 43-51), the first communications unit, upon receiving an externally applied command from remote controller provided separately from the broadcast receiver apparatus and operated by a user, extracts the button data from the memory (column 9, lines 43-51; column 4, lines 40-42).

Portuesi does not disclose a system that transmits the extracted button data, and receiving an electronic mail from the external apparatus, the external apparatus having a mail production unit for producing the electronic mail; and

a second communication unit transmitting the electronic mail received by said first communication unit to a provider that provides required information.

In an analogous art, Vertelney teaches a system that transmits the extracted button data, and receiving an electronic mail from the external apparatus, the external apparatus having a mail production unit for producing the electronic mail; and

a second communication unit transmitting the electronic mail received by said first communication unit to a provider that provides required information (column 14, lines 21-34).

At the time it would have been obvious for one of ordinary skill in the art to add the URL emailing taught by Vertelney to the system disclosed by Portuesi. The motivation would have been to enable the sharing of information without transferring a lot of data therefore wasting bandwidth, by just sending the URL.

2. Claims 11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portuesi in view of Vertelney as applied to claim 10 above, and further in view of Lortz.

Referring to claim 11, Portuesi and Vertelney do not disclose a broadcast receiver apparatus according to claim 10, further comprising: a still picture production unit producing a still picture from the video separated by said separation unit, wherein said first communication unit transmits the button data included in the data separated by said separation unit and the still picture produced by said still picture production unit to the remote controller.

Lortz discloses a broadcast receiver apparatus according to claim 10, further comprising: a still picture production unit producing a still picture from the video separated by said separation unit, wherein said first communication unit transmits the button data included in the data separated by said separation unit and the still picture

produced by said still picture production unit to the remote controller (column 14, lines 21-34).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the still picture production unit and web tablet interface taught by Lortz to the system disclosed by Portuesi and Vertelney. The motivation would have been to allow the user to browse the web without interrupting their television viewing.

Claim 13 is rejected on the same grounds as claims 10 and 11.

Referring to claim 14, Portuesi does not disclose a remote controller according to claim 13, wherein said mail production unit produces said electronic mail using a template included in button data corresponding to the button selected by said select unit.

In an analogous art, Vertelney teaches a remote controller according to claim 13, wherein said mail production unit produces said electronic mail using a template included in button data corresponding to the button selected by said select unit (figure 6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to include the template taught by Vertelney to the system disclosed by Portuesi. The motivation would have been that creating a system wide email template makes the system easier to use by creating a unified presentation of information.

Referring to claim 15, Portuesi does not disclose a remote controller according to claim 13, wherein said mail production unit produces said electronic mail using a mail address included in button data corresponding to the button selected by said select unit.

In an analogous art, Vertelney teaches a remote controller according to claim 13, wherein said mail production unit produces said electronic mail using a mail address included in button data corresponding to the button selected by said select unit (figure 6; column 12, lines 43-45).

At the time of the invention it would have been obvious for one of ordinary skill in the art to include the mail address taught by Vertelney to the system disclosed by Portuesi. The motivation would have been that sending the address in the message makes it easier for the end user to use.

3. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Portuesi, Vertelney and Lortz as applied to claim 13 above, and further in view of Morrison.

Referring to claim 16, Portuesi, Vertelney, and Lortz do not disclose a remote controller according to claim 13, further comprising: a user information managing unit managing user information, wherein said mail production unit produces said electronic mail based on user information under control of said user information managing unit.

In an analogous art, Morrison teaches a remote controller according to claim 13, further comprising: a user information managing unit managing user information,

wherein said mail production unit produces said electronic mail based on user information under control of said user information managing unit (figure 5).

At the time of the invention it would have been obvious for one of ordinary skill in the art to include the address book taught by Morrison to the system disclosed by Portuesi, Vertelney, and Lortz. The motivation would have been that providing a list of contacts makes it easier for the end user to use by not requiring the user to remember the information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS

SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER